



8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF
12 AMERICA,

13 Plaintiff,

14 vs.

15 MICHAEL DAVID
16 FERNANDEZ,

17 Defendant.

18 } Case No. SA CR 02-0018-CJC

19 } **ORDER OF DETENTION**

20 I

21 A. () On motion by the Government/ () on Court's own motion, in a
22 case allegedly involving:

- 23 1. () a serious risk that the defendant will flee.
24 2. () a serious risk that the defendant will:
25 a. () obstruct or attempt to obstruct justice.
26 b. () threaten, injure or intimidate a prospective witness
27 or juror, or attempt to do so.
28 3. (X) a violation of supervised release.

II

A. () The Court finds that no condition or combination of conditions will reasonably assure:

1. () the appearance of the defendant as required.
() and/or
2. () the safety of any person or the community.

B. (X) Defendant has not established by clear and convincing evidence to the contrary that he does not pose a risk of flight or danger to the community as provided in 18 U.S.C. § 3143 (a).

III

The Court has considered:

- A. the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;
 - B. the weight of evidence against the defendant;
 - C. the history and characteristics of the defendant; and
 - D. the nature and seriousness of the danger to any person or the community.

IV

The Court bases the foregoing finding(s) on the following:

- A. () As to flight risk:
B. () As to danger:

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- 3 A. IT IS THEREFORE ORDERED that the defendant be detained prior to
4 trial.
5 B. IT IS FURTHER ORDERED that the defendant be committed to the
6 custody of the Attorney General for confinement in a corrections facility
7 separate, to the extent practicable, from persons awaiting or serving sentences
8 or being held in custody pending appeal.
9 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable
10 opportunity for private consultation with counsel.
11 D. IT IS FURTHER ORDERED that, on order of a Court of the United
12 States or on request of any attorney for the Government, the person in charge
13 of the corrections facility in which defendant is confined deliver the defendant
14 to a United States marshal for the purpose of an appearance in connection with
a court proceeding.

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16 DATED: September 7, 2011

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19 MARC L. GOLDMAN
20 UNITED STATES MAGISTRATE JUDGE
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